

1 Adopt 2 Cal. Code Regs. Section 18572 to read:

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3 **18572. Lobbyist Contributions - Making a Contribution Defined.**
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5 (a) A lobbyist makes a contribution prohibited by Government Code section 85702 when
6 he or she mails, delivers or otherwise transmits to an elected state officer, a candidate for elective
7 state office or his or her controlled committee, a contribution as defined in Government Code
8 section 82015 and 2 Cal. Code Regs. section 18215, and the contribution is made from the
9 lobbyist's personal funds or assets. If the contribution is made from a lobbyist's joint checking
10 account, 2 Cal. Code Regs. section 18533 shall be used to determine whether the contribution is
11 from the lobbyist.

12 (b) In addition to contributions described in subdivision (a) of this regulation,
13 contributions governed by Government Code section 85702 are subject to the aggregation
14 provisions of Government Code section 85311.

15 (c) [Option 1, A: Government Code section 85702 does not prohibit a registered
16 lobbyist from making contributions to political parties or general purpose committees for
17 purposes other than contributions to candidates or officers he or she is registered to lobby. Such
18 contributions must indicate, on the check or by cover instructions, that a contribution is not to be
19 used to support or defeat candidates for office whose agencies the lobbyist is registered to
20 lobby.] or, B: [Government Code section 85702 does not prohibit a registered lobbyist from
21 making contributions to political parties or to other non-controlled committees unless the
22 committee is primarily formed to support or oppose a candidate for office whose agencies the
23 lobbyist is registered to lobby.]

24 (d) Government Code section 85702 does not prohibit a registered lobbyist from:

1 (1) contributing to candidates and officeholders whose agencies he or she is not
2 registered to lobby;

3 (2) joining political parties;

4 (3) contributing to his or her own campaign;

5 (4) contributing to a candidate in a local election unless the candidate is an elected state
6 officer in the specific state agency the lobbyist is registered to lobby;

7 (5) engaging in any activities that are excluded from the definition of "contribution" in
8 Government Code section 82015 and 2 Cal. Code Regs. section 18215, including volunteering
9 his or her own time or personal services on behalf of any candidate for elected state office.

10 (e) Government Code section 85702 does not prohibit a registered lobbyist from making
11 independent expenditures to any candidate for elective state office.

12 (f) Government Code section 85702 does not prohibit a registered lobbyist who is
13 registered only to lobby administrative state agencies from contributing to candidates for elective
14 state office unless, the proposed recipient is a member of the specific administrative agency or
15 agencies the lobbyist is registered to lobby.

16 (g) A registered state lobbyist is registered to lobby a particular government agency,
17 within the meaning of Government Code Section 85702, as follows:

18 (1) Where the lobbyist is a partner, owner, or officer of a lobbying firm, any government
19 agency required to be identified in the lobbying firm's registration as required by Government
20 Code Section 86104(d), unless the lobbyist's certification identifies other agencies with which
21 the lobbyist engages in or is authorized to engage in direct communication.

22 (2) Where the lobbyist is employed by a lobbyist employer, any government agency
23 required to be identified in the lobbyist employer's registration as required by Government Code

1 Section 86105(e), unless the lobbyist's certification identifies other agencies with which the
2 lobbyist engages or is authorized to engage in direct communication.

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5 NOTE: Authority cited: Section 83112, Government Code.

6 Reference: Sections 82015, 85311, 86104, 86105, 85702 and 85303, Government Code.